



INTERIOR BOARD OF INDIAN APPEALS

James K. Aslin v. Eastern Oklahoma Regional Director, Bureau of Indian Affairs

53 IBIA 258 (07/12/2011)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
801 NORTH QUINCY STREET
SUITE 300
ARLINGTON, VA 22203

JAMES K. ASLIN,)	Order Vacating Decision and Dismissing
Appellant,)	Appeal
)	
v.)	
)	Docket No. IBIA 09-118
EASTERN OKLAHOMA REGIONAL)	
DIRECTOR, BUREAU OF)	
INDIAN AFFAIRS,)	
Appellee.)	July 12, 2011

James K. Aslin (Appellant) appealed to the Board of Indian Appeals (Board) from a May 29, 2009, decision by the Eastern Oklahoma Regional Director (Regional Director), Bureau of Indian Affairs (BIA), in which she affirmed the November 24, 2008, decision of the Superintendent of BIA's Osage Agency to assess Appellant, as lessee of Oil and Gas Mining Lease No. G06-17712,¹ for unpaid royalty.

On June 30, 2011, the Board received a Motion to Remand from the Regional Director. In it, the Regional Director states that the Appellant provided proof that the alleged unpaid royalty had, in fact, been paid. The Board's staff attorney confirmed with counsel for the Regional Director that the Regional Director is satisfied that her decision may be vacated and this matter dismissed, rather than remanded, inasmuch as the original dispute no longer exists.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Regional Director's May 29, 2009, decision is vacated, and Appellant's appeal is hereby dismissed as moot.

I concur:

// original signed
Debora G. Luther
Administrative Judge

// original signed
Steven K. Linscheid
Chief Administrative Judge

¹ The lease is located in the SW¹/₄, Section 3, Township 25 North, Range 8 East, Osage County, Oklahoma.